





#### **Agenda**

DCAMM Commissioner Carol W. Gladstone

"DCAMM Strides in DM"

Sarah Creighton, Energy Planner

"Executive Order 594 Decarbonizing and Minimizing Environmental Impacts"

**Neil Cohen, Inspector General's Office** 

"Proprietary Specifications and Purchases"

Susan Ruch, DCAMM Director of Environmental Services

"OFMM's Environmental Services Team (ENV).

Tips regarding projects involving (PCBs)"

Noel Jordan, CAMIS Program Coordinator

"CAMIS Corner"

David Hodge, Burnell Controls, Inc.

"Controlling Your Facility Remotely"

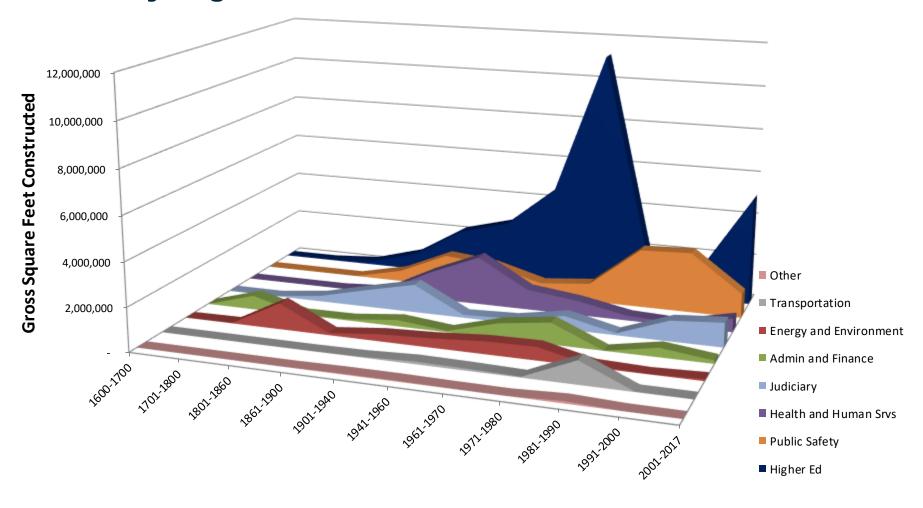


# Strides DCAMM is Making

- Status of our State Building Portfolio
- Deferred Maintenance Spending
- DM Five Year Planning Evolution
- Facility Condition Assessments/ Deficiencies
- Facility Condition Index
- DM Process Improvements

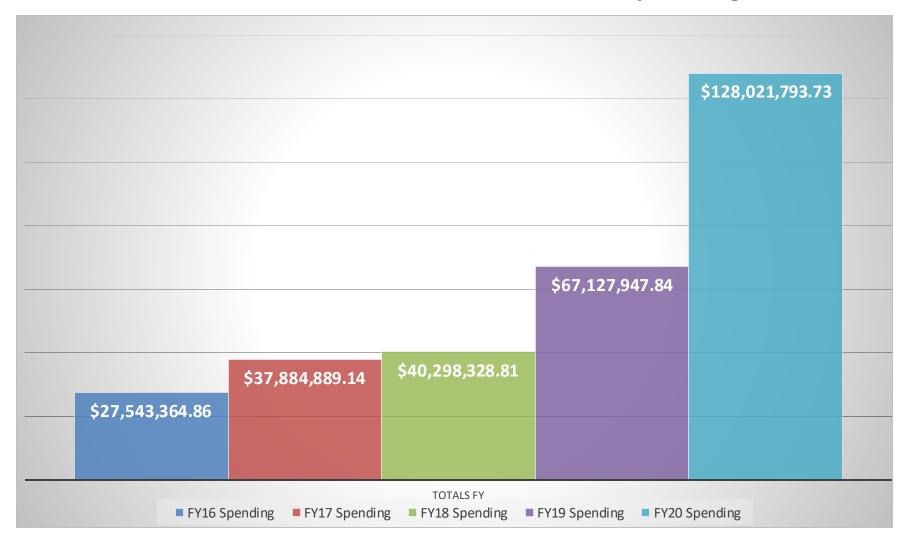


# **Composition of Active State Building Portfolio by Original Year of Construction**



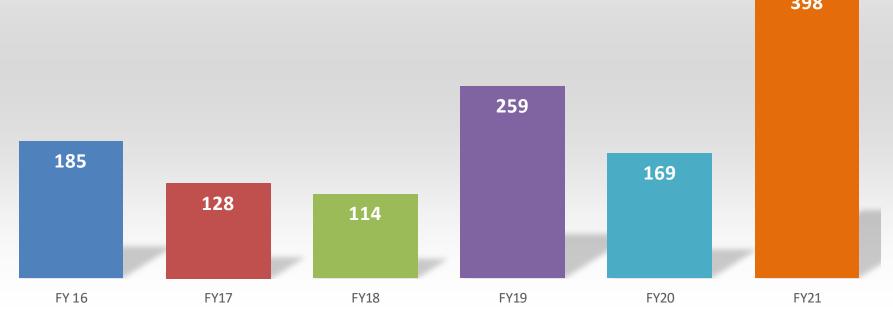


#### **FY 16-FY 20 Deferred Maintenance Spending**





# FY16-FY21 Total Number Of DM Projects Transferred <u>To Date</u>-1253





Deferred
Maintenance
Star
Performers
FY 16-FY21

**EOHHS-Department of Public Health 65 Projects** 

**EOPSS-Department of Correction 94 Projects** 

Sheriffs-Suffolk Sheriff Department 28 Projects

UMASS-University of Mass Lowell 45 Projects

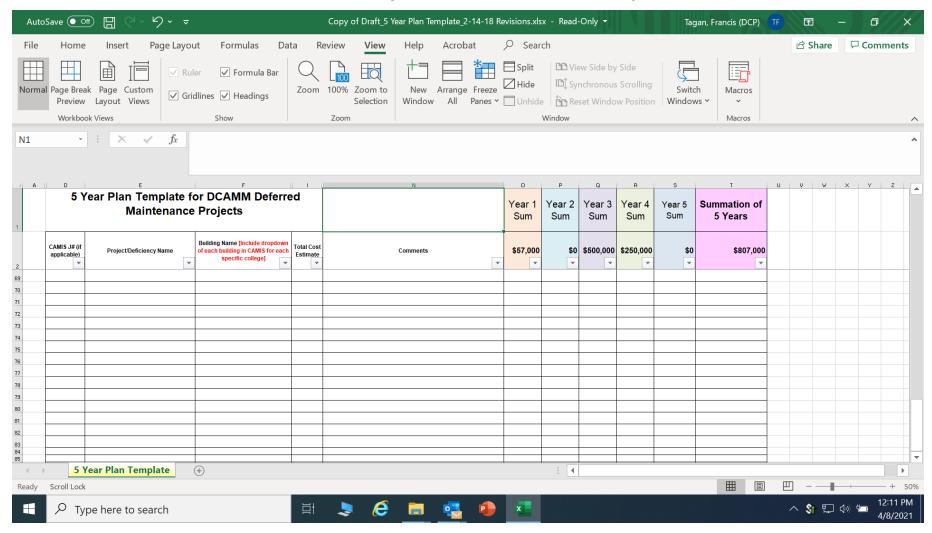
State Universities-Worcester State University 46 Projects

Community Colleges-Springfield Tech 40 Projects

**Judiciary-Trial Courts 140 Projects** 



### Five Year Project Plan Template



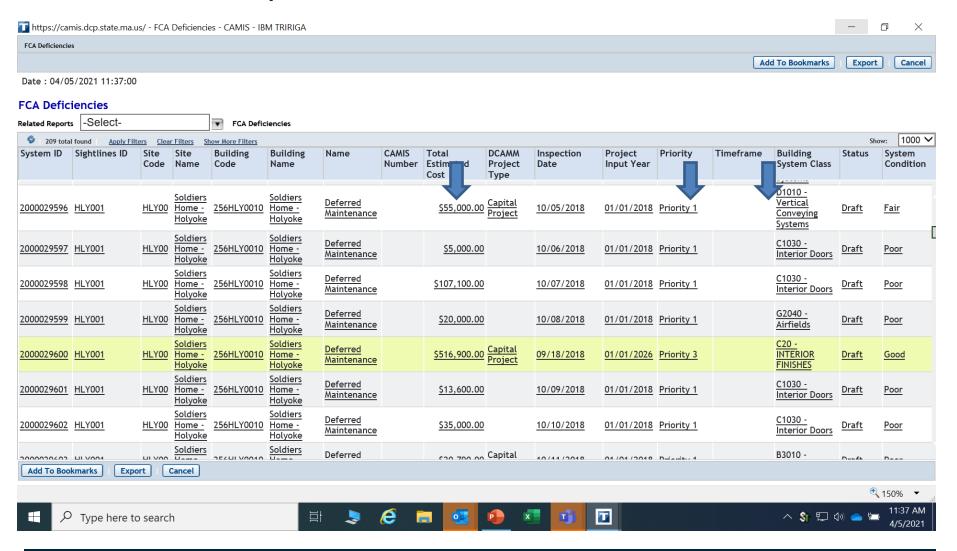


# **Facility Condition Assessments**

Consistent with a state-wide effort to improve the maintenance of existing assets, DCAMM is seeking information that will identify investment priorities and support predictable funding for capital renewal.

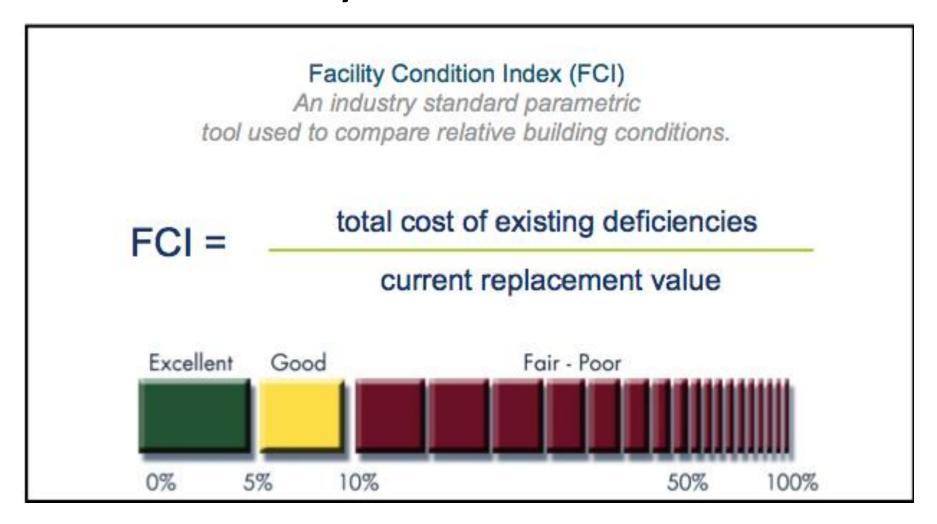


#### Facility Condition Deficiencies in CAMIS





# Facility Condition Index





## Improvements to DM Process

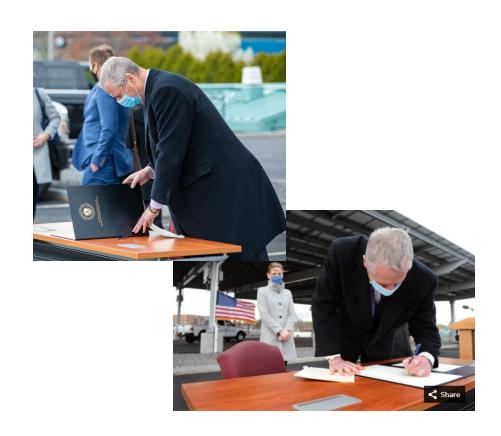
- Simplified Study Template with Instructions
- On-line Training Webinars
- E-Builder for Quicker Funding Approval
- E-Builder for Quicker Study Certification
- DM Multiyear Planning
- Coordination with DCAMM Accessibility,
   Energy and Environmental Departments



#### **Executive Order 594**

Decarbonizing and Minimizing Environmental Impacts of State Government

- Updates EO 484
- Focus on reducing fossil fuels
- Buildings and Vehicle in State Government





#### Sets Aggressive New Goals

Objective	Baseline	Current Progress	2025	2030	2040	2050
Reduce emissions from onsite fossil fuels	2004	-16%	-20%	-35%	-60%	-95%
Reduce fuel oil use	2004	-85%	-90%	-95%	TBD	TBD
Energy Use Intensity	2004	-13%	-20%	-25%	TBD	TBD
EV charging stations	N/A	225	350	500	TBD	TBD
Zero emissions vehicles in state fleets	N/A	<1%	5% of fleet	20%	75%	100%



**CLIMATE ACTION** 

#### **DOER Info Sessions**

Topic	Date
Electrifying State Fleets	May 6: 1-3pm
LBE Council Meeting	May 11: 10-12
Overview of New EO and Legislation	Repeated May 11: 3-4 pm
Buildings and Existing Facilities	June 10: 1-2
State Fleets and the Needed Infrastructure	June 16: 11-12
Implementation of the EO Goals	June 24: 1-2

Register at: https://bit.ly/32T9nZ5





# Proprietary and Sole Source Specifications

MA Procurement Laws





#### Objectives

- Define proprietary and sole source issues under MA procurement law
- Outline the pros and cons of using proprietary and sole source



#### Procurement Refresher

- Chapter 30B
  - \$10,000 or less = sound business practices
  - >\$10,000 and \$50,000 or less= price quotations
  - Over \$50,000 = bids (IFBs)or proposals (RFPs)
  - Surplus supplies and real property have different thresholds and guidelines

- Chapter 30, Section 39M
   and Chapter 149
  - Under \$10,000 = sound business practice
  - \$10,000 \$50,000 = price quotation process, advertising, bonding
  - Can use Chapter 30B for construction materials under \$50,000



#### Procurement Refresher - continued

- Chapter 30 & Chapter 149
  - Between \$50,000 \$150,000 = use Chapter 30 (section 39M)
     formal bidding process
  - Above \$150,000, follow formal bid process in Chapter 30 for public works projects and Chapter 149 for building-related projects
  - Over \$10 million for Chapter 149 projects = different rules
  - Other rules may apply. Prevailing wage law ALWAYS applies

https://www.mass.gov/doc/charts-on-procurement-procedures-effective-june-15-2018/download





# **Proprietary Specifications**

Proprietary and Sole Source Specifications



#### Chapter 30B

- Purchase of supplies, services, construction materials (or can use Chapter 30, Section 39M)
- Allows <u>but</u> discourages proprietary specifications
- Allows <u>but</u> severely limits sole source procurement



#### **Proprietary Specifications**

- What is a proprietary specification?
- Brand name
  - Specification written so restrictively that it limits the procurement to one product
- Avoid unless necessary



#### **Proprietary Specifications**

Permitted only when no other manner of description will suffice







#### Necessary?

- Must ask yourself <u>WHY</u> you need this specific supply or service
- Can you defend the decision?
  - With confidence.....
  - With clear data, facts, rationale......



- Brand Name:
  - Thermos® (Thermos)
- Generic Name:
  - Vacuum Flask





- Brand Name:
  - Escalator® (Otis Elevator)
- Generic Name:
  - Moving staircase





- Brand Name:
  - Smartboard® (Smart Boards)
- Generic Name:
  - Interactive white board





**Brand Name (Ford)** 

**Generic (Pickup Truck)** 







**Brand Name (John Deere)** 

**Generic (Tractor)** 







#### **Brand Name (Zamboni)**









#### **Proprietary Specifications**

- Instead...use characteristics or design features you need
- Personal preference should not be a factor
- Track record can be <u>one</u> factor
- Aesthetics "I like the way it looks" needs more justification



#### **Proprietary Specifications**

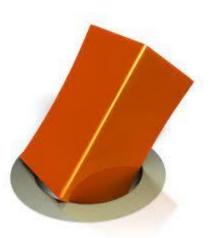
- If you require the use of a proprietary supply or service:
  - Document why you need the brand name
  - Document that competition exists for the supply or service

Proprietary item without competition = sole source



#### Possible reasons for Proprietary Specifications

- Existing warranty issues
- Compatibility
- Fleet management costs
- Cost-benefit analysis
- Unique characteristics that are nec
- On a state or collective contract





#### **Proprietary Specifications**

- Remember the universal principles of procurement
  - Promote competition and fairness
  - Fair, open, robust competition saves tax dollars
  - Open and transparent processes promote integrity and public confidence in government

Remember: you're spending someone else's money



#### Chapter 30 (Section 39M) and Chapter 149

- Proprietary specifications can only be used if:
  - o "in the public interest,"
  - o for "sound reasons," and
  - after a "reasonable investigation" you have an obligation to ensure that acceptable alternatives exist even if you prefer the proprietary item



#### Chapter 30 and Chapter 149

- Must allow for an "or equal." Ex: Acme Widgets or equal
  - "or equal" reviewed post-bid and determined by the jurisdiction if it is appropriate. Must justify rejecting the proposed "or equal." Could lead to bid protests, claims, etc.

Proprietary specifications discouraged

 Determination of reasonable investigation MUST be in writing (court decision) – public record/transparency.



#### Not a good determination

• "We investigated all options and we firmly believe that the Acme brand widgets are the best value. No other widgets get the same reviews. They are a little more expensive, but we know they will last. We have always used Acme widgets and the engineer prefers them based on experience. We will consider other widget options offered by bidders."

Opinions and preferences are not facts





#### **Sole Source Procurements**

Proprietary and Sole Source Specifications



#### • Definition:

- Only one practicable source for the supply or service exists
- Impact: contract awarded without soliciting price quotes, bids or proposals





- Permissible under certain situations
  - Not allowed for more than \$50,000
  - Allowable exceptions (any dollar amount)
    - "...library books, school textbooks, educational programs, educational courses, educational curricula in any media including educational software, newspapers, serials, periodicals, audiovisual materials or software maintenance..."



- For sole source purchases of \$50,000 or less AND the exceptions
  - MUST conduct a reasonable investigation to determine that:
  - Only one practicable source exists
    - "Personal preference" not permitted
    - Defensible determination (results of the investigation) <u>MUST</u> be put in writing
    - Distribution territories are sole source



#### **Best Practices**

- Determine what you need and why you need it
- Purchase only what you need
- Still need a contract and a procurement file

- MUST keep a record including:
  - Vendor's name, contact info, etc.
  - Amount and type of contract
  - Items/services purchased
  - Other relevant information to support your determination



- The procurement officer <u>shall</u> procure a proprietary item by competition if more than one potential bidder or offeror for that item exists
- If not more than one potential bidder or offeror exists, then it's a sole source issue



#### Common misconception

- A sole source procurement is NOT:
  - The contract awarded to the sole or only vendor responding to request for quotes, IFB or RFP



#### Chapter 30B: Sole Source vs. Proprietary

#### **Proprietary Specifications**

- Must use a competitive process
- May be procured from more than one vendor

#### **Sole Source**

- Competitive process not needed when procurement < \$50,000 but sound business practices apply, and other rules mentioned previously
- Limited to one practicable source



#### Chapter 30B - Sole Source vs. Proprietary

#### **Proprietary Specifications**

- Over \$50,000 must use a sealed competitive Chapter 30B process
- Follow Chapter 30B rules for under \$50,000

#### **Sole Source**

- >\$50,000, must use the IFB process unless the contract falls under one of the exceptions
- Sound business practices still apply to exceptions



#### Chapter 30B Summary

- Sole source is generally not allowed for purchases over \$50,000
- Sole source is allowed for under \$50,000, but you must follow sound business practices, investigate options, and put your determination in writing.



### Chapter 30 (Section 39M) and Chapter 149

- Sole source is prohibited
- Remember: proprietary is different from sole source
  - Example: Benjamin Moore paint is a proprietary product but is not sole source
  - Example: Behr paint is both a proprietary product and a sole source product



### Conclusion

#### Questions?



### MAFMA Meeting - April 29, 2021

#### **Environmental Services at DCAMM**

- o who we are
- services we provide
- o roles we play



#### **Environmental Services Team**

#### Introductions to the Team

- Lori Anderson
- James B. Matz
- Susan Ruch
- Kenneth Sanderson
- Zhanna Davidovitz



### **Environmental Services**

- Located within DCAMM's OFMM
  - Provide environmental expertise, support and project management for buildings and properties within DCAMM's care and control
  - Operations, Engineering and Surplus Properties
  - Facilities Resources and Deferred Maintenance
- Also collaborate with other DCAMM offices, including:
  - Planning
  - Design and Construction
  - Real Estate





former Monson Power Plant Stack Demolition

#### **Environmental Services**

- Environmental Consulting Services
- Project Management Services
- Contract Administrator for PRF67, Statewide Professional Environmental Services Contract
- Training Services

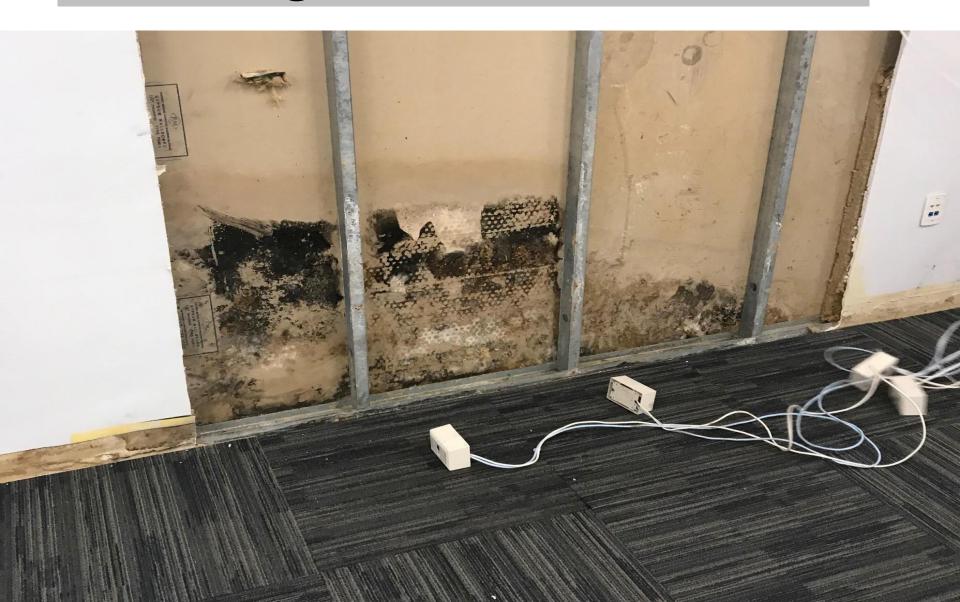


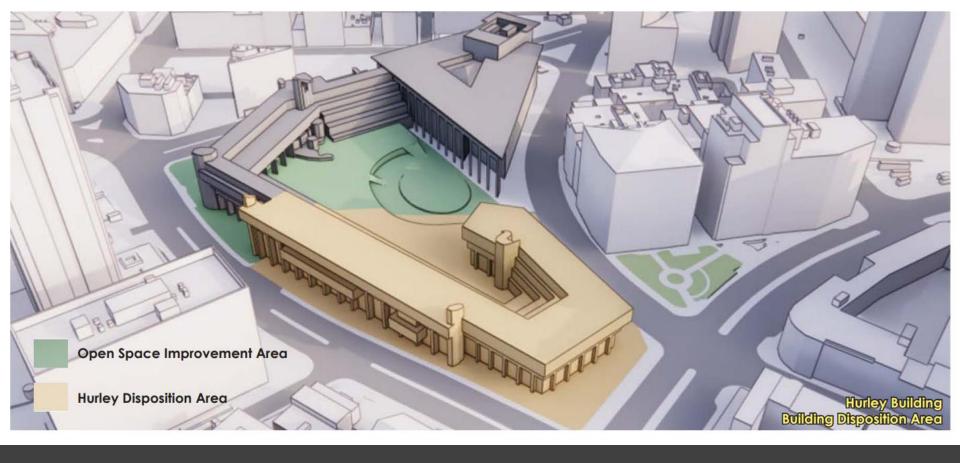
# **Environmental Consulting Services**

- Regulatory compliance
- Preparation of permit applications, notifications and reporting under applicable state, federal and local requirements
- Due diligence assessments for real estate acquisitions and disposition of property
- Evaluate assessment and remedial options



# Consulting - Mold in a State Office

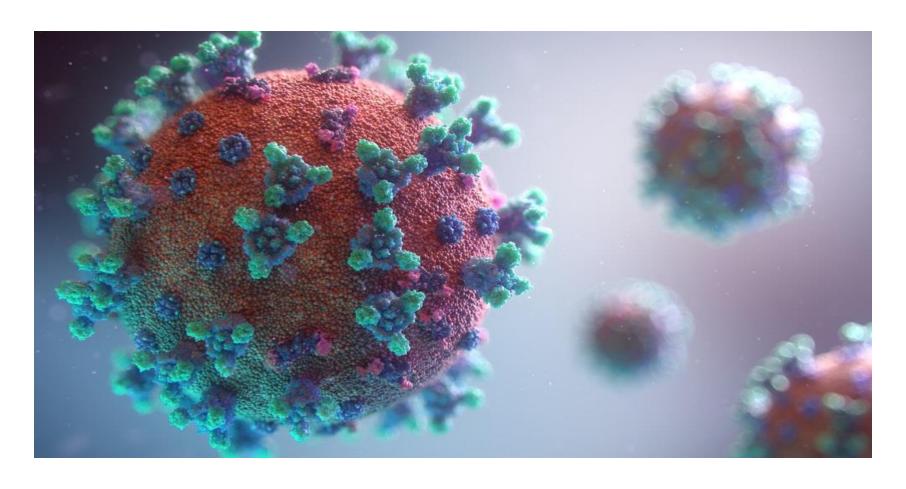


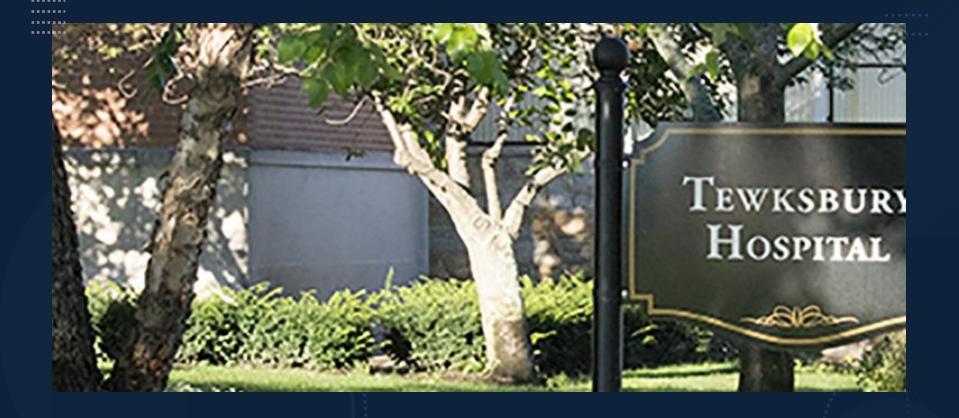


# Consulting with Real Estate

### Consulting – Newton Pavilion Facility

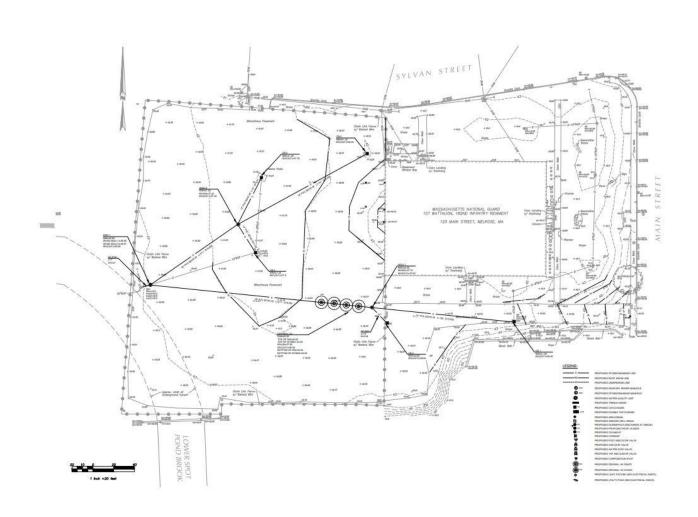
Newton Pavilion Hospital Facility – Boston, MA **Decommissioning - Cleaning, Disinfection and Sampling** 





Consulting on Drinking Water with Planning and Tewksbury State Hospital

# Consulting – DM – Melrose Armory



# Consulting – DM – Melrose Armory



# Consulting – DM – STCC



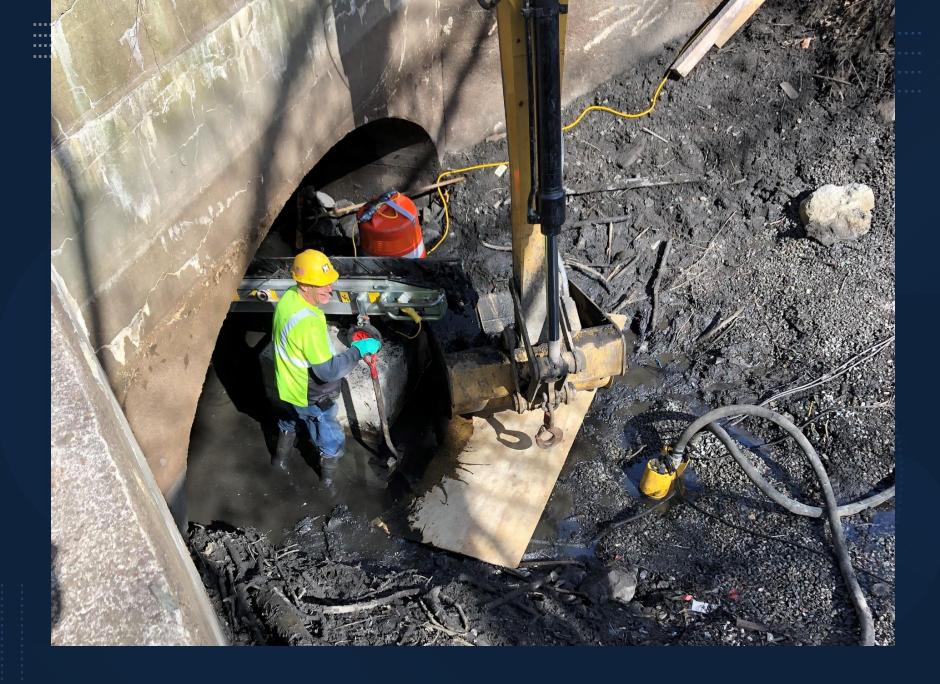
# Project Management Services

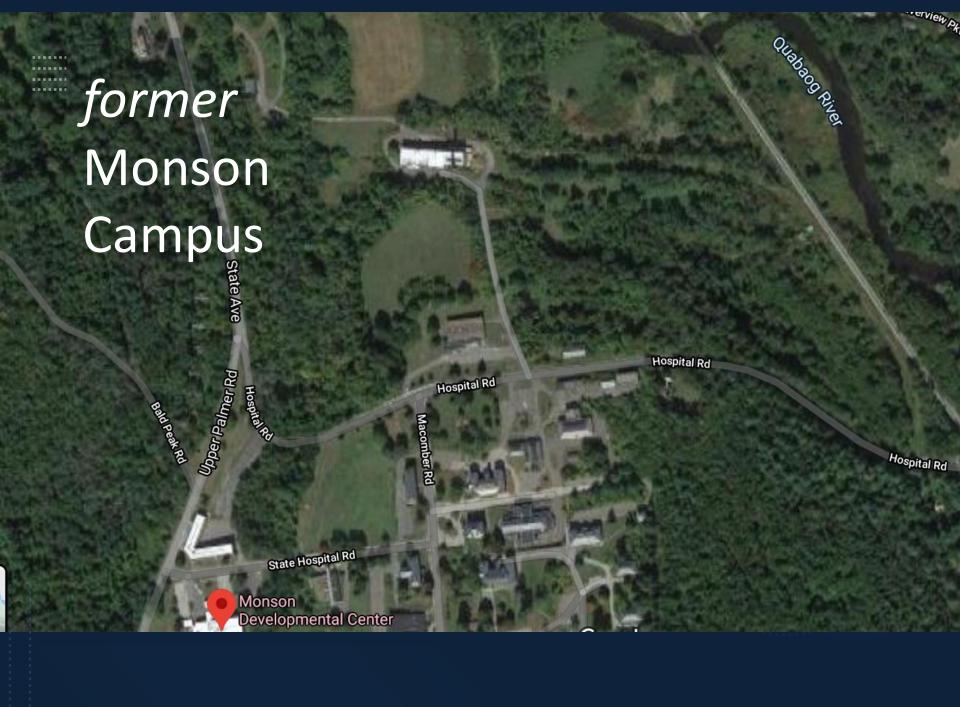
- Buildings and properties under DCAMM's care and control, including Surplus Properties
  - Develop scopes, budgets, schedules
  - Manage consultants and contractors from design through implementation phases











# Landfill Closure in Monson



### former Medfield State Hospital

Then:

Demolition of the Laundry Building

Now:

Remediating the Solvent Plume



# **Training Services**

- Provide Training on Environmental Matters
  - Internally to DCAMM staff and project teams
  - Through Massachusetts Facilities Managers
     Association (MAFMA), provide training and updates periodically to state facility managers



### Contract Administrator for PRF67

- Statewide Professional Environmental Services Contract
- Work with Operational Services Division (OSD) and Supplier Diversity Office (SDO)
- Expires November 2021
  - Request for Bids for new contract (PRF77) in coming months



### Notification of Site Contamination

- When contamination is identified during a project that DCAMM is conducting on behalf of your agency at a building or property under your care and control...
  - Your agency is the Potentially Responsible Party (PRP) that must notify MassDEP of a reportable quantity (RQ) or reportable concentration (RC)
    - Consultant and/or DCAMM can make initial notification on your behalf
  - DCAMM Environmental Services can provide expertise and peer review to support you through the process



## PCBs ....

- Consult and vet <u>fully</u> prior to conducting any PCB sampling and analysis of building materials and/or property
- EPA's TSCA PCB office allows two separate routes for dealing with potential PCB-containing materials
- The route your facility or project takes can have significant implications, including costs and timing



## **Environmental Services**

## Any questions?

#### **SUSAN RUCH**

susan.ruch2@mass.gov

Director of Environmental Services
Office of Facilities Management and Maintenance
Division of Capital Asset Management & Maintenance
MOBILE 617-875-0243

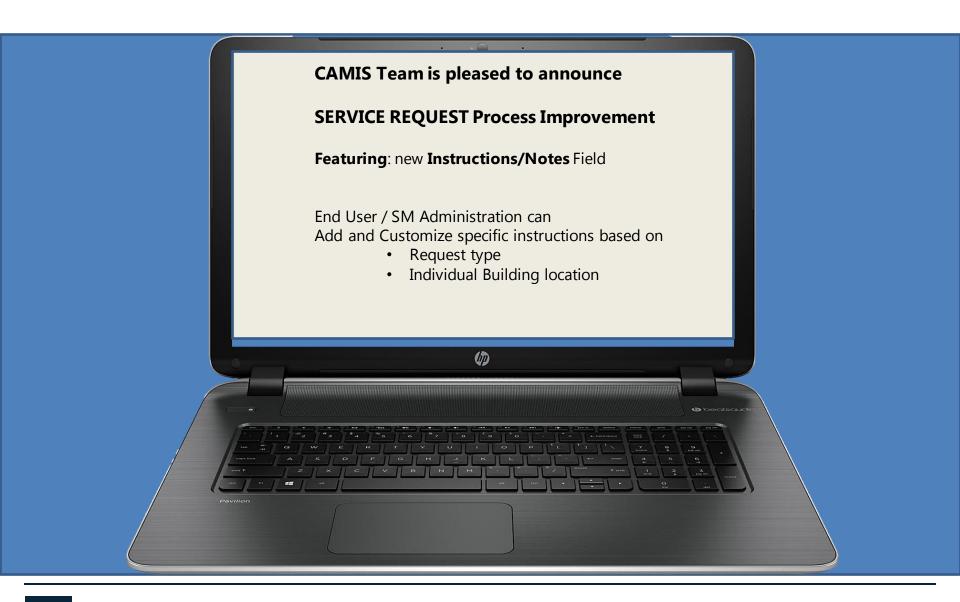


## **CAMIS CORNER**

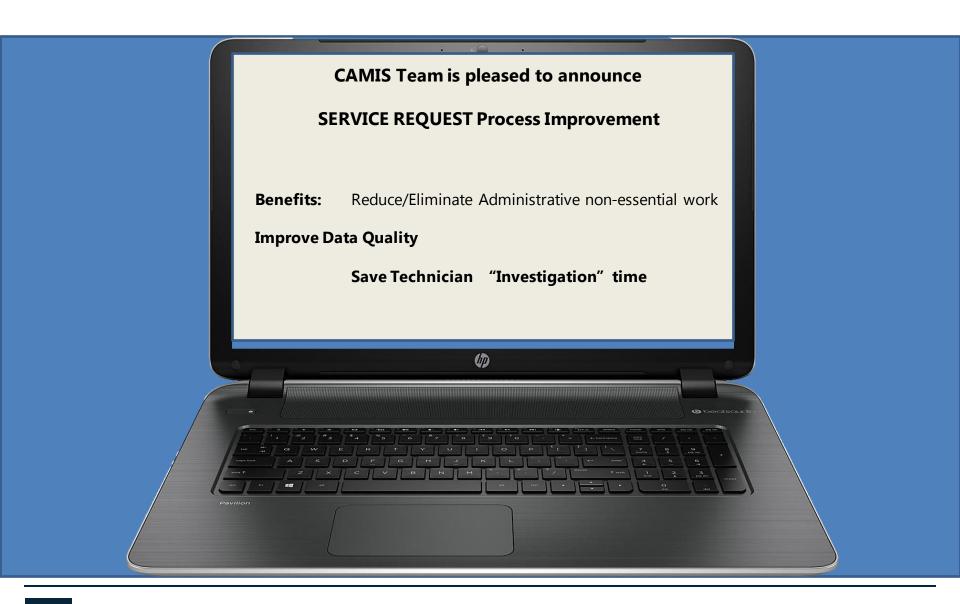
CAMIS Service Request Process Enhancement Custom CM Notes/Directions









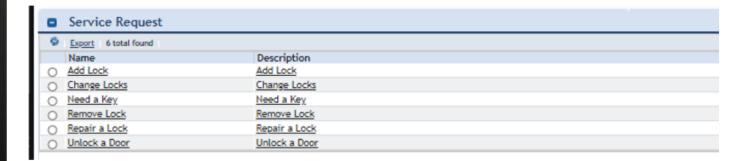




#### **CUSTOMIZING SERVICE REQUEST INSTRUCTIONS**

#### **Service Requests**

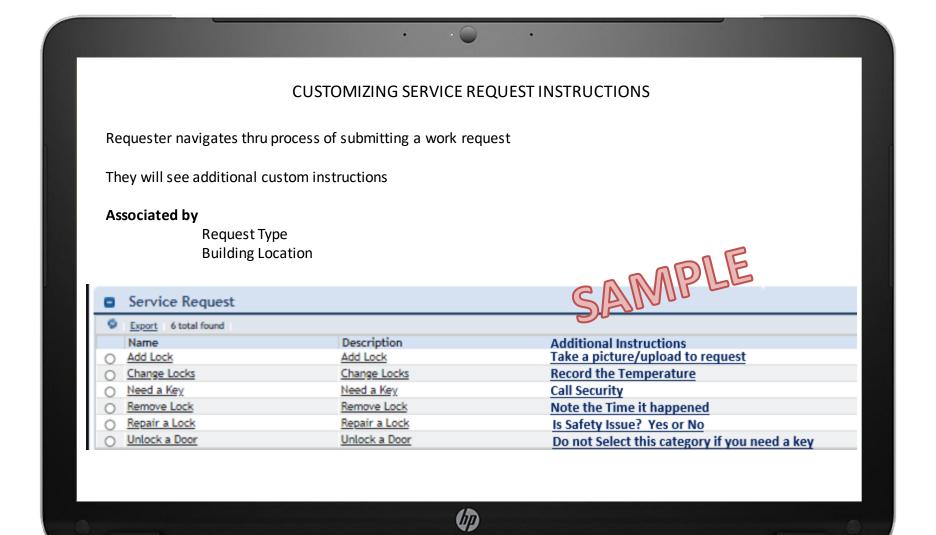
**Name** & **Description** fields were established as standard, high-level categories Common to all CAMIS users statewide.



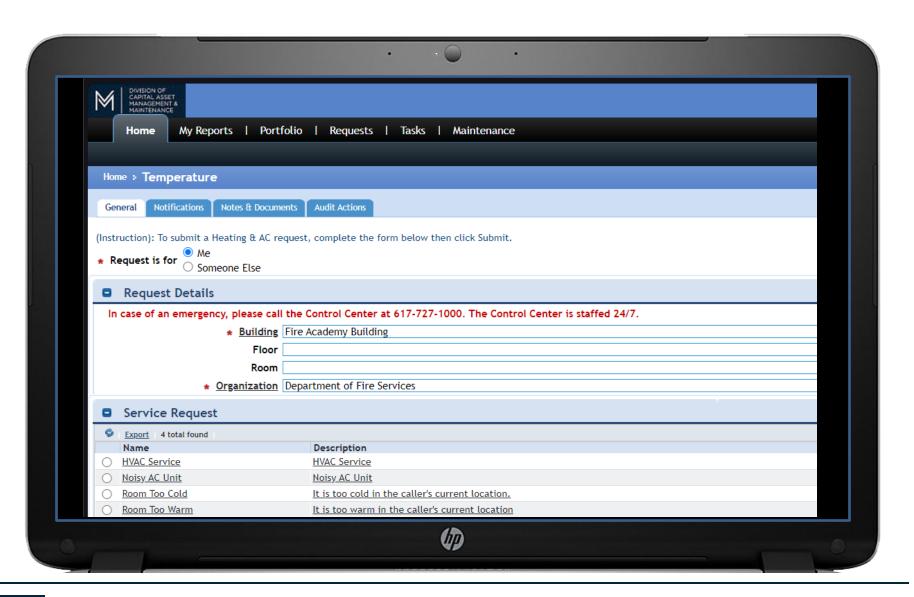
With this revision, Service Requests can be customized as needed with specific instructions:



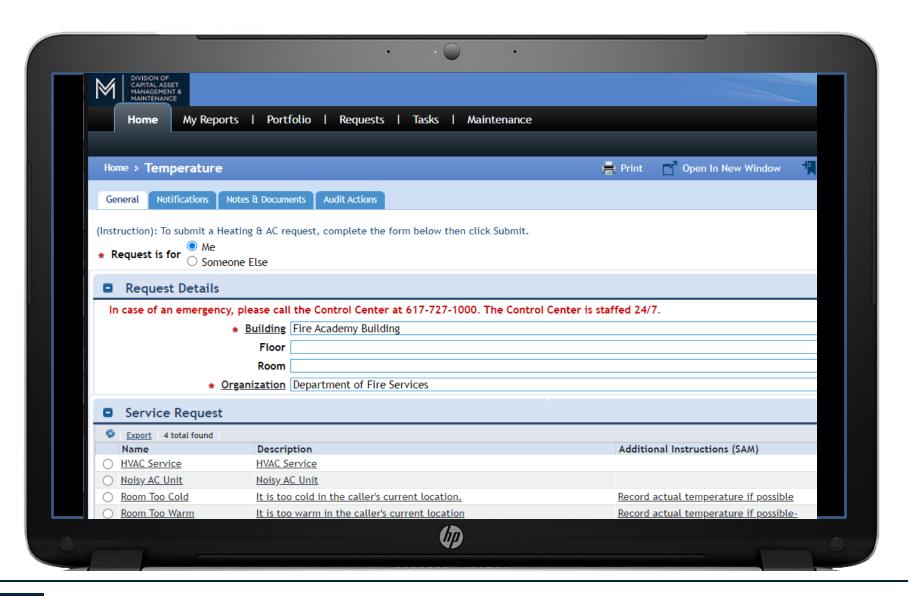




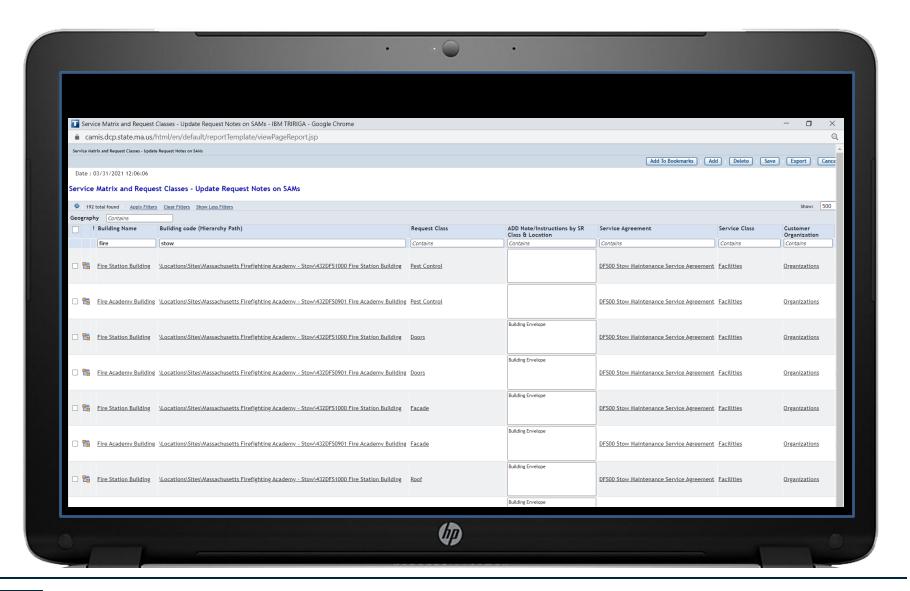


















# BUILDING AUTOMATION & INDUSTRY TRENDS

Burnell Controls, Inc. hodge@burnellcontrols.com 781-602-0107

### Agenda

01

Burnell Controls Introduction "who we are" 02

HVAC Building Automation Overview & System Remote Access 03

#### Industry Trends

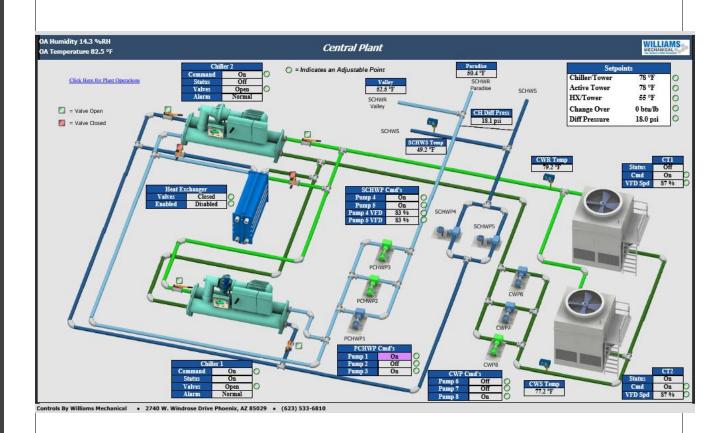
- Cybersecurity
- iBMS
  - IP Controllers
- Analytics Healthy Buildings



- Founded in 1994 by Tom Burnell
  - Headquarters located in Danvers, MA
- Full Service Building Automation and Energy Management Company
  - Design
  - Program
  - Installation
  - Integration
  - Service & Maintenance
- Products & Systems
  - Honeywell
  - Vykon
  - Johnson Controls
  - Blue Ridge Technologies Lighting Control

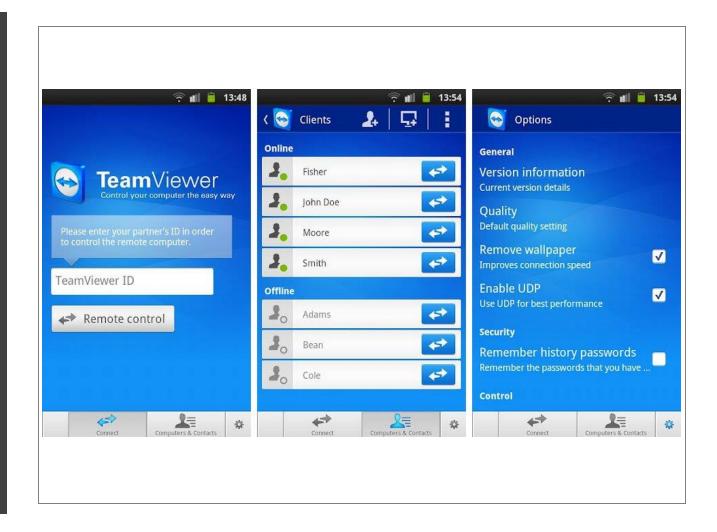
#### What is a Building Automation System (BAS)

- Reduces energy
   consumption through
   scheduling,
   programming unique
   SOO, and
   troubleshooting
- Ability to Monitor and Control different HVAC Systems from a User Interface



#### Remote Access for your facilities

- How are you managing a building while working from home?
- COVID -changed the way we work
- Facility Engineers need a secure way to access their systems no matter their location
- Variety of ways to access your system
  - Key is to have a separate BAS Network isolated from other systems
  - Build Firewall/VPN vs. Public IP
  - VPN
  - Remote desktop



## BAS Industry Trends

#### Cybersecurity

- Don't expose your devices on the Internet
- Network Security Strategy
- Change "Factory Default" Credentials
- Keeping your BAS software up to date with newest revision release
- Encrypted Communications

## Integrated Building Automation Systems (iBMS)

- The industry is looking for a Single Pane of Glass to monitor & control all systems
- Lighting, EPMS, Access Control, Security, Solar Panels, Electric Vehicle Charging Stations, etc.
- IP Level Controllers and network topologies

#### Building Analytics

- Occupancy & Social Distance Requirements
- Condition Based Maintenance
- Indoor Air Quality 90% of our time is spent indoors
  - UV Lighting
- Measure Particles through space and unit sensors allows units to adjust based off of demand

## Healthy Buildings & Analytics Dashboard



# Q&A THANK YOU!

David Hodge - <a href="mailto:dhodge@burnellcontrols.com">dhodge@burnellcontrols.com</a> - 781-602-0107

## **Thanks for Coming**

**Next meeting Fall 2021** 

